

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

TRUSTEES OF THE B.A.C. LOCAL 4 PENSION AND ANNUITY FUNDS, et al.,	:	Civil No. 13-4846 (FSH)
Plaintiffs,	:	<u>ORDER</u>
v.	:	Date: October 10, 2013
INDUSTRIAL CONCRETE CONSTRUCTION OF NEW JERSEY, INC., et al.,	:	
Defendants.	:	

HOCHBERG, District Judge:

This matter comes before the Court upon Plaintiffs' motion for default judgment against Defendants Industrial Concrete Construction of New Jersey, Inc. and Industrial Urban Corp. ("Defendants") pursuant to Fed. R. Civ. P. 55 [Dkt. No. 8]; and

it appearing that Plaintiffs filed the instant action against Defendants on August 13, 2013, alleging that the Industrial Concrete and Defendants were part of a collective bargaining agreement whereby Industrial Concrete was required to make specified contributions [Dkt. No. 1]; and alleging that Industrial Urban is the successor in interest or alter ego of Industrial Concrete; and alleging that there is a judgment against Industrial Concrete in the amount of \$131,664.15; and alleging that Industrial Urban was required to make their books and records available to Plaintiffs from September 1, 2007 to present; and summons was returned executed on August 21, 2013; and Defendants having been served on August 21, 2013 and having failed to answer or appear in this

action in any manner; and entry of default having been entered against Defendants on September 24, 2013; and Plaintiffs having provided Defendants with written notice of their motion for default judgment [Dkt. No. 10]; and Defendants having failed to respond to the instant Motion and the time for such response having lapsed; and Plaintiffs seeking damages in the form of a previous judgment, minus amounts paid, costs, and attorney's fees; and Plaintiff's submissions having been considered pursuant to Fed. R. Civ. P. 78;

ACCORDINGLY IT IS on this 10th day of October, 2013

ORDERED that Plaintiffs' Motion for Default Judgment [Dkt. No. 8] is **GRANTED**; and it is further

ORDERED that the Plaintiffs will provide proof of the prior judgment in the amount of \$131,664.15 and proof of any prior payments to show that the current amount due is \$113,643.15 by **October 24, 2013**. The Court will enter the total amount of final judgment upon the appropriate showing of proof.

/s/ Faith S. Hochberg
Hon. Faith S. Hochberg, U.S.D.J.